

Message Text

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PAGE 01 GENEVA 04295 111424Z

73

ACTION L-03

INFO OCT-01 AF-10 EUR-25 EA-11 NEA-10 IO-13 ADP-00 ARA-16

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

EPA-04 RSR-01 /251 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC 1127

INFO USMISSION USUN NY

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY ANKARA

AMEMBASSY SOFIA

AMEMBASSY MANILA

AMEMBASSY RABAT

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TAGS: PBOR, UN

SUBJECT: LOS: SEABED COMMITTEE MEETING, SUBCMTE II, AUGUST
9, 1973

1. SUMMARY. ITALY AND BULGARIA SUPPORTED FREE NAVI-
GATION THROUGH INTERNATIONAL STRAITS. NETHERLANDS RE-
INFORCED LANDLOCKED/SHELF-LOCKED STATES' POSITION.
PHILIPPINES URGED RECOGNITION OF HISTORIC RIGHTS FOR
ARCHIPELAGIC WATERS.

2. ITALIAN REP RESPONDED TO THOSE WHO HAD SPOKEN ON
ITALIAN DRAFT ARTICLE ON STRAITS (A/AC/138/SCII/L.30).

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PAGE 02 GENEVA 04295 111424Z

HE POINTED OUT THAT INTERESTS OF THOSE WHO ONLY HAD ONE

EXIT TO HIGH SEAS HAD TO BE WEIGHED AGAINST STRAITS-STATES DESIRE FOR CONTROL. HE REVIEWED SEVERAL HISTORICAL DOCUMENTS AND ARGUED THAT STRAITS OF GIBRALTER HAD ALWAYS BEEN OPEN TO FREE NAVIGATION. HE SPECIFICALLY REBUTTED LEGAL ARGUMENTS TO CONTRARY ADVANCED BY SPAIN. REP ALSO EXPLAINED DRAFT PROPOSAL IN GREATER DETAIL.

3. NETHERLANDS REP MADE STRONG APPEAL FOR GEOGRAPHICALLY DISADVANTAGED STATES SHARING IN BENEFITS FROM COASTAL STATES EXTENSION OF JURISDICTION SEAWARD. HOWEVER HE DID NOT AGREE WITH DISTINCTION BETWEEN DEVELOPED AND DEVELOPING DISADVANTAGED STATES. HE EXPLAINED MERITS OF SEVEN-POWER DRAFT (A/AC/138/55) AND STATED HE COULD NOT IMAGINE INTERNATIONAL AGREEMENT WITHOUT COMPULSORY DISPUTE SETTLEMENT PROCEDURES. HE POINTED OUT THAT NOT ONLY COASTAL STATES BUT ALSO FLAG STATES HAD RIGHT OF SOVEREIGNTY INVOLVED IN NEGOTIATIONS. COMBINATION OF NATIONAL AND INTERNATIONAL ELEMENTS WERE NEEDED IN AREA WHERE COASTAL STATE RIGHTS EXTENDED BEYOND TERRITORIAL SEA OR THERE WOULD BE NO GENERALLY ACCEPTABLE INTERNATIONAL SOLUTION.

4. TURKISH REP INTRODUCED PROPOSAL REQUESTING INTERNATIONAL HYDROGRAPHIC ORGANIZATION FOR STUDY ON ISLANDS.

5. BULGARIA SPOKE AT LENGTH IN SUPPORT OF SOVIET PROPOSAL PROVIDING FREEDOM OF NAVIGATION THROUGH STRAITS USED FOR INTERNATIONAL NAVIGATION. REP ALSO INTRODUCED DRAFT ARTICLES ON NATURE OF TERRITORIAL SEA OUT TO 12 MILES (A/AC/138/SCII/L.51). HE DIRECTLY CHALLENGED SPANISH POSITION ON STRAITS AND URGED FUNCTIONAL APPROACH TO ISSUE. HE CRITICIZED 8-POWER STRAITS PROPOSAL (A/AC/138/SCII/L.18). AS PLACING ARBITRARY POLITICAL POWER IN HANDS OF STRAITS STATES. HE URGED ADOPTION OF OBJECTIVE CRITERIA FOR PASSAGE WHICH WOULD BALANCE INTERESTS OF STRAIT STATES AND STRAITS USERS. HE HINTED THAT ITALIAN PROPOSAL EXEMPTING STRAITS LESS THAN 6-MILES WIDE MIGHT BE ACCEPTABLE.

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PAGE 03 GENEVA 04295 111424Z

6. PHILIPPINE REP INTRODUCED TWO DRAFT ARTICLES ON HISTORIC RIGHTS (A/AC/138/SCII/L.46 AND L.47). HE ARGUED THAT WATERS OF PHILIPPINE ARCHIPELAGO COULD BE CLAIMED AS HISTORIC WATERS AND CITED 1898 TREATY WHEREBY US CEDED ALL SOVEREIGNTY WHICH SPAIN HAD HAD BY REFERENCE TO LINES DRAWN AROUND ARCHIPELAGO.

7. MOROCCO'S REP EXERCISED RIGHT OF REPLY TO SUP-
PORTERS OF SOVIET AND ITALIAN DRAFT PROPOSALS BY
STATING HE SUPPORTED INNOCENT PASSAGE REGIME FOR
STRAITS OF GIBRALTER. HE REJECTED HISTORIC USE
ARGUMENTS ON BASIS THAT COLONIAL POWERS WERE CON-
DUCTING THEIR FOREIGN AFFAIRS.

8. MALTA, PERU, ITALY AND INDONESIA EXCHANGED VIEWS
ABOUT ARCHIPELAGOES AND STRAITS.

9. US REP STATED THAT US HAD NEVER RECEIVED,
EXERCISED OR TRANSFERRED SOVEREIGNTY EXCEPT OVER
LAND AREAS OF THE PHILIPPINES ISLANDS AND A 3-MILE
TERRITORIAL SEA AROUND EACH ISLAND.BASSIN

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